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In re Application of:
Gunther Plasa
Application No. 09/020,872
Filed: February 9, 1998
Attorney Docket No. GR-95-P-1411

DECISION ON PETITION
TO WITHDRAW HOLDING
OF ABANDONMENT

This is a decision on the request filed on December 15, 2000, to withdraw the holding of abandonment of the above-identified application. The request has been treated as a petition under 37 CFR 1.181 for which no fee is required.

The petition is **granted**.

The application was held abandoned for failure to file a proper response to the final Office action mailed on March 1, 2000. A Notice of Abandonment was mailed on December 5, 2000.

Petitioner asserts that on July 3, 2000, a petition for a one month extension of time with fee and a Rule 53d Continued Prosecution Application (CPA) with fee were timely filed in the above-identified application. To support this assertion, petitioner has submitted copies of the petition for extension of time and the CPA along with copies of return postcards which properly identify and acknowledge receipt thereof by the Patent and Trademark Office on July 3, 2000.


A review of the application file record reveals that the above-identified communications were not properly associated with the application file at the time the Notice of Abandonment was mailed but have since been located and matched therewith.

For the above stated reason, the petition is granted. The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. The application is restored to pending status.

Decision on Petition to Withdraw Holding of Abandonment

The application file is being forwarded to the Technology Center 2800 support staff for entry of the above-identified communications. From there, the application will be forwarded to the examiner for prompt appropriate action.

Inquiries regarding this decision should be directed to Ed Glick at (703) 308-4858.



Edward J. Glick, Special Programs Examiner
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